

Authority: Item 7, Planning Committee
Report: 11-014 (PED11141)
CM: August 11, 2011

Bill No. 208

CITY OF HAMILTON

BY-LAW NO. 11-208

**To Amend Zoning By-law 05-200
Respecting Lands Located at
75 Balsam Avenue North and 160 Beechwood Avenue (Hamilton)**

WHEREAS the City of Hamilton has in force several Zoning By-laws which apply to the different areas incorporated into the City by virtue of the City of Hamilton Act, 1999, S.O. 1999, Chap. 14;

AND WHEREAS the City of Hamilton is the lawful successor to the former Municipalities identified in Section 1.7 of By-law 05-200;

AND WHEREAS it is desirable to enact a new Zoning By-law to comprehensively deal with zoning throughout the City;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 7 of Report 11-014 of the Planning Committee, at its meeting held on the 8th day of August, 2011, recommended that Zoning By-law No. 05-200, be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Map Nos. 956 and 998 of Schedule "A" - Zoning Maps, appended to and forming part of By-law No. 05-200 is amended, by changing the zoning from the City Wide Park (P3) Zone to the City Wide Park (P3, 42) Zone, with a Special Exception, on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. That Schedule "C": Special Exceptions of By-law No. 05-200 is amended by adding an additional Special Exception as follows:

42. Notwithstanding Sections 3, 5.1 a) ii), 5.2.1 b), and 7.3.3 a), b), and d) of this By-law, within the lands zoned City Wide Park (P3) Zone, Modified, identified on Maps 956 and 998 of Schedule "A" - Zoning Maps and described as 75 Balsam Avenue North and 160 Beechwood Avenue, the following special provisions shall apply:

a. For the purposes of Special Exception No. 42, the following definition shall apply:

Planting Strip	Shall mean an area of land growing ornamental shrubs or trees or both, suitable to the soil and climatic conditions of the area of land for the sole purpose of providing a buffer, and may include a sidewalk.
b. Minimum Side and Rear Yard	0 metres.
c. Maximum Building Height, Exclusive of any Attached Stadium Lighting	40.0 metres.
d. Maximum Size for Retail	Shall not apply to retail uses located within stadium building.
e. Location of Loading Facilities	Shall be permitted in a yard abutting a street.
f. Location of Parking Facilities for School Located at 77 Melrose Avenue North	Shall be permitted on the subject lands notwithstanding that the lot to accommodate the parking facilities is not located in the same zone as the school.

2. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

3. That this By-law No. 11-208 shall come into force and be deemed to come into force in accordance with Sub-section 34(21) of the Planning Act,

either upon the date of passage of this by-law, or as otherwise provided by
the said Sub-section.

PASSED this 11th day of August, 2011.

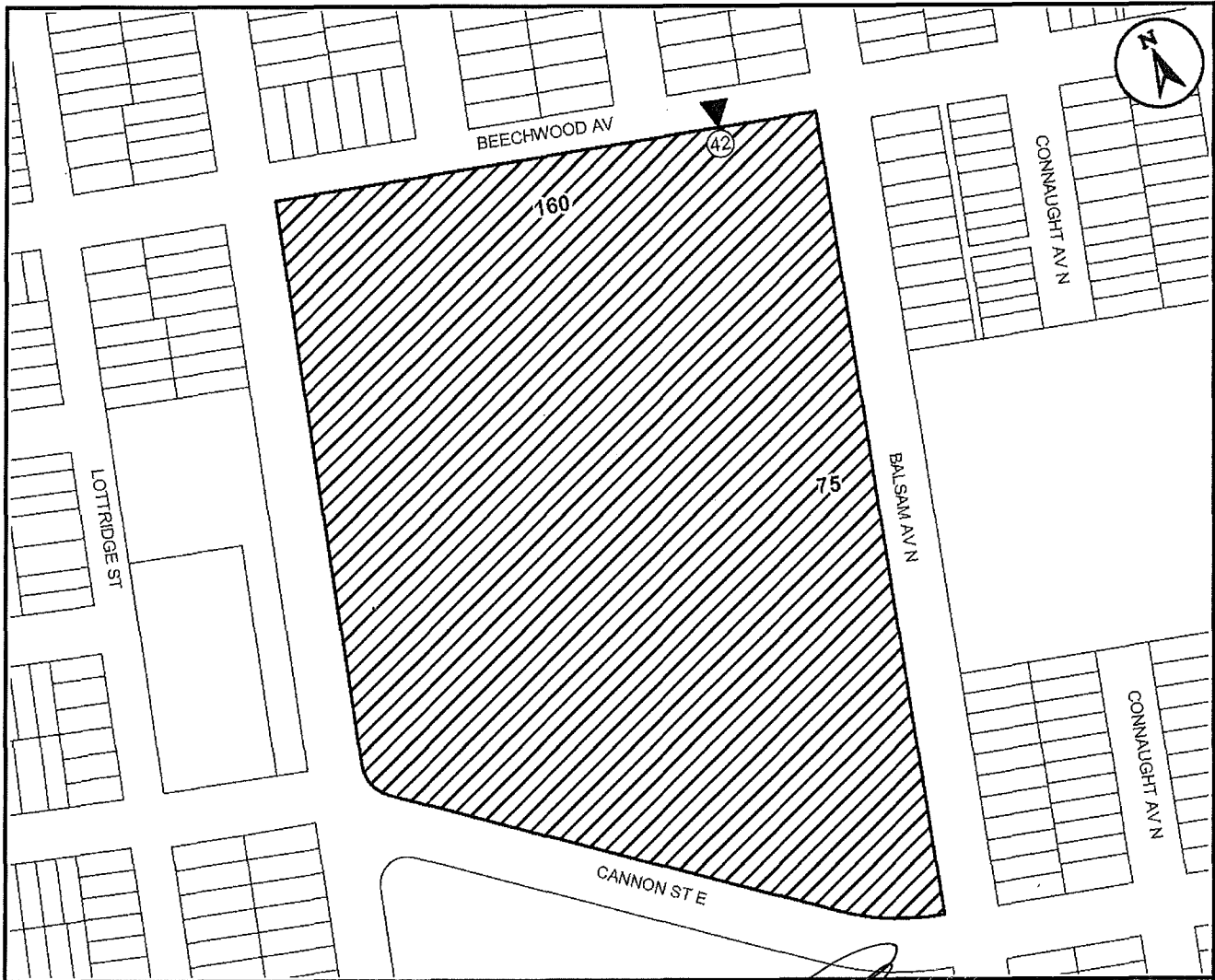


R. Bratina
Mayor



R. Caterini
City Clerk

CI-11-B



This is Schedule "A" to By-Law No. 11- 208

Passed the ..11.th.. day of ..August....., 2011

R. Bratina
 Clerk
R. Bratina
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 11-208

to Amend By-law No. 05-200
 Maps 998 & 956

Subject Property

75 Balsam Avenue North & 160 Beechwood Avenue



Lands to be rezoned from City Wide Park (P3) Zone
 to City Wide Park (P3, 42) Zone

Scale:
 N.T.S.

File Name/Number:
 CI-11-B

Date:
 May 12, 2011

Planner/Technician:
 HT/AL



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT